

On 20 May 2009, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned for failure to timely respond to the Notification of Defective Response.

On 27 May 2009, applicant filed the present petition under 37 CFR 1.181.

### DISCUSSION

The transmittal letter (Form PTO-1390) filed on 19 September 2005 contained a general authorization to charge any required fees to Deposit Account No. 50-1379. A review of USPTO records reveals that Deposit Account No. 50-1379 had sufficient funds to cover a charge of \$1,500.00 on 02 October 2006, the mailing date of the Notification of Missing Requirements. Accordingly, the Notification of Missing Requirements should not have required the submission of additional claims fees.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is GRANTED.

The portion of the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed 02 October 2006 which required the submission of additional claims fees is hereby VACATED.

The Notification of Defective Response (Form PCT/DO/EO/916) mailed 13 April 2007 is hereby VACATED.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 20 May 2009 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 19 March 2004, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 27 November 2006.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

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